

MILWAUKEE COUNTY - DIVORCE CHECKLIST 1

FILING & SERVING

Fees: \$188.00 filing fee for divorce without minor children, \$198.00 for divorce with minor children. Summons and petition must be served and there are fees for service (see below). Filing fees and service by the sheriff (in Wisconsin) may be waived with an approved fee waiver.

1. Fill out appropriate Summons and Petition (*forms available for sale in **Room 307A - Legal Resource Center***).
2. Fill out the Confidential Petition Addendum.
3. Is a Temporary Hearing necessary? If yes, complete the Order to Show Cause for Temporary Relief and the Affidavit for Temporary
4. **Room 307A (Legal Resource Center)** – Make 5 copies of all documents **except** the Confidential Petition Addendum (*\$0.20 per page*).
5. Are you seeking a fee waiver? If so, fill out Waiver of Fees Affidavit and sign before a notary public. Take it, with proof of public assistance or pay stubs to **Room 609** for review.
6. **Room 104** – Bring all copies of forms to file, pay filing fee (*or show waiver form*), and get a case number. Filing fee is \$188.00 if no minor children, \$198.00 if there are minor children.
7. **Room 707** – Take all copies to the Calendar Desk of the Family Court Commissioner. The clerk will keep one set of copies for their records, give a temporary hearing date, if requested, as well as give a Notice and Order of Administrative Dismissal Date, and a Requirement to Attend Parent Education Program, if minor children are involved.
8. **Room 101** – **If there are minor children and** if you or your spouse receive, or ever have received public assistance, a copy of the Summons and Petition (*and Temporary Hearing documents, if applicable*) must be served on the Department of Child Support Enforcement.
9. **Service** – Make arrangements to have documents served on your spouse by the Sheriff's Department (*Room 209 of the Safety Building – skywalk is on the first floor*), \$35.00 *per attempt*) or a private process server. Your spouse **must be served within 90 days** of the filing of the action and must be served with the summons and petition, order to show cause (if temporary hearing requested), order of administrative dismissal date and requirement to attend parent education (if minor children). **If service is attempted with out success, come back to the Center as soon as possible to discuss publication.**
10. **WHEN YOU ARE READY FOR THE SECOND STEP, YOU MUST MAKE AN APPOINTMENT** (by phone 278-2912), by email (ctimail@wicourts.gov), or in person (Room 104P). **THE CLINIC DOES NOT ASSIST WITH THE SECOND STEP DURING WALKIN HOURS** (as the forms take much longer).